



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Steinke, et al. S
Serial No.: 07/953,680 S Examiner: Unknown
Filed: September 29, 1992 S Group Art Unit: Unknown
For: METHOD AND APPARATUS FOR S Atty. Dkt: UTSK:142/BAH
DIRECT SPECTROPHOTOMETRIC S
MEASUREMENTS IN UNALTERED S
WHOLE BLOOD S

ELECTION UNDER 37 C.F.R. § 3.71
AND POWER OF ATTORNEY

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

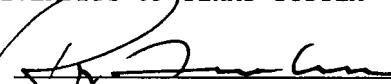
The Assignee hereby revokes any previous Powers of Attorney and appoints Louis T. Pirkey, Reg. No. 22,393; Floyd R. Nation, Reg. No. 27,580; Willem G. Schuurman, Reg. No. 29,998; J. Paul Williamson, Reg. No. 29,600; Daniel S. Hodgins, Reg. No. 31,026; David L. Parker, Reg. No. 32,165; William G. Barber, Reg. No. 33,154; David D. Bahler, Reg. No. 30,932; Barbara S. Kitchell, Reg. No. 33,928; and Denise L. Mayfield, Reg. 33,732, each members or associates of the firm of ARNOLD, WHITE & DURKEE, as attorney or agent for so long as they remain with such firm, with full power of substitution and revocation; to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Letters Patent.

Please direct all communications as follows:

David D. Bahler, Esq.
ARNOLD WHITE & DURKEE
P.O. Box 4433
Houston, Texas 77210
(512) 320-7200

ASSIGNEE:

BOARD OF REGENTS, THE
UNIVERSITY OF TEXAS SYSTEM

By 
Name: Ray Farabee
Title: Vice Chancellor and
General Counsel

Date: 11/21/92.



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PATENT
UTSK:142

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND APPARATUS FOR DIRECT SPECTROPHOTOMETRIC MEASUREMENTS IN UNALTERED WHOLE BLOOD," the Specification of which:

is attached hereto.

was filed on September 29, 1992 as Application Serial No. 07/953,680.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority
Claimed

| (Number) | (Country) | (Date Filed) | Yes/No |
|----------|-----------|--------------|--------|
|----------|-----------|--------------|--------|

| (Number) | (Country) | (Date Filed) | Yes/No |
|----------|-----------|--------------|--------|
|----------|-----------|--------------|--------|

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status) |
|--------------------------|---------------|----------|
|--------------------------|---------------|----------|

I hereby direct that all correspondence and telephone calls be addressed to David D. Bahler, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 320-7200.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: A. Shepherd
(First) P.
(Initial) (Last)

Inventor's Signature: A.P. Shepherd
Date: 28 Oct. 1992 Country of Citizenship: USA

Residence Address :
(Include number, street name, city, state, and country)

Post Office Address:
(if different from
residence address)
15315 Grey Fox TX
San Antonio, Texas, USA 78255

Inventor's Full Name: John M. Steinke
(First) (Initial) (Last)

Inventor's Signature: John M. Steinke
Date: 28 October 1992 Country of Citizenship: U.S.A.

Residence Address :
(Include number, street name, city, state, and country)
8907 Brightwater TX
San Antonio, TX USA 78250

Post Office Address:
(if different from
residence address)

Inventor's Full Name:
(First) (Initial) (Last)

Inventor's Signature:
Date: Country of Citizenship:

Residence Address :
(Include number, street name, city, state, and country)

Post Office Address:
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DECLARATION CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Board of Regents
The University of Texas System

Address of Organization: 201 West 7th Street
Austin, Texas 78701

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

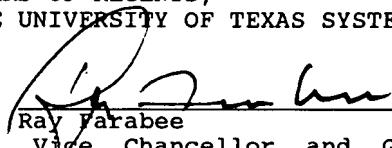
I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such

willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

BOARD OF REGENTS,
THE UNIVERSITY OF TEXAS SYSTEM

By: 

Ray Parabee
Vice Chancellor and General
Counsel

Date: October 29, 1952